IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24400 of 2004

Between:

Galada Sheela Prashant, W/o Prashant Galada, Occupation: Doctor, resident of 7-2-715, Ashok Nagar, Secunderabad.

..... PETITIONER

AND

The Regional Passport Officer, Near Clock Tower,

Secunderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not carrying out the correction/alteration of the petitioner's correct date of birth as 23.3.1974 instead of 23.3.1976 appeared in Passport
No. Z 1277164 issued on 23.12.2000 basing on the S.S.C. Certificate is illegal, arbitrary, unconstitutional and in violation of Articles 19 and 21 of the Constitution of India and consequently direct the respondent to issue a fresh passport with my correct date of birth as 23.3.1974.

Counsel for the Petitioner: N.VENUGOPALA RAO

Counsel for the Respondent: MR.A.RAJASHEKAR REDDY (SC FOR CG)

The Court, at the admission stage, made the following :

ORDER:

The petitioner, in effect, seeks a direction to the respondent to receive her application and consider it for issuing fresh passport with her correct date of birth as 23.03.1974 as per her school certificate.

The grievance of the petitioner is that in the passport obtained by her on 23.12.2000 her date of birth was wrongly recorded as 23.03.1976 instead of 23.03.1974 and when she filed an application before the respondent for correction of her date of birth in the passport, the respondent refused to entertain the application. Hence, the writ petition.

Heard learned counsel for the petitioner and learned Standing Counsel for respondent.

The petitioner has not filed any material before this Court to show that she has filed an application before the respondent for correction of her date of birth in the passport issued to her on 23.12.2000 and the respondent refused to receive the same. Therefore, I am of the view that this writ petition is premature one.

In view of the same, the writ petition is dismissed. No order as to costs.

However, the petitioner is at liberty to file an application along with relevant material before the respondent for correction of her date of birth in the passport issued to her on 23.12.2000, and on filing such an application, the respondent is at liberty to consider the same and pass appropriate orders thereon in accordance with law.

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(N.V. RAMANA, J)

Date: 28.12.2004

Nsr/Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Regional Passport Officer, Near Clock Tower,

Secunderabad.

2. Two CD copies.